



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

May 22, 2019 7:00 PM

CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE (Commissioner Tao)

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for May 22, 2019 with two changes requested by staff

VI. ANNOUNCEMENTS

VII-1 Planning Commissioners

VII-2 Planning Director

VII. PUBLIC FORUM

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and limit their remarks to fewer than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

VIII. APPROVAL OF MINUTES

No meeting minutes to approve.

IX. PUBLIC HEARING

IX-1 ZONING TEXT AMENDMENT – ADMINISTRATIVE HEARING PROCESS –

P-ZA19-0003* – City-initiated Zoning Ordinance Text Amendment to establish an Administrative Hearing process, discontinue the Planning Commission Subcommittee, and amend regulations related to massage establishments. The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines. Project Planner: Rozalynne Thompson, (408) 586-3278, rthompson@ci.milpitas.ca.gov

***Recommendation:** Staff recommends that the Planning Commission recommend that the City Council adopt Zoning Text Amendment ZA19-0016, set forth as Exhibit B to the staff report to establish an administrative hearing process and discontinue the Planning Commission subcommittee based on the findings in this staff report and the attached resolution.*

** The public hearing notice for this item included consideration of new regulations related to massage establishments. These regulations have been separated from this item and will be re-noticed for consideration at a future Planning Commission meeting.*

IX-2 THE DISTRICT – LOT 4 PERMIT AMENDMENTS – P-SA19-0001/P-UA18-0006 –

An application to amend the Site Development Permit and Conditional Use Permit for a previously approved project (The District - Lot 4) to allow an increase in the number of residential units from 173 to 213, an increase in ground floor retail space from 13,941 sq. ft. to 18,100 sq. ft., an increase in height from 83 to 86 feet, a decrease in recreational deck space from 23,597 sq. ft. to 10,360 sq. ft., remove the underground parking garage design and request parking credit for on-street parking via implementation of a Transportation Demand Management, and associated architectural design modifications. The Project is located on a 2.68-acre lot at 1410 McCandless Drive. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration), Section 15182 (Projects pursuant to a Specific Plan), and, as a separate and independent basis, Section 15183 (Projects consistent with a Community Plan or Zoning). Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov

***Recommendation:** Staff recommends the Planning Commission continue the item to a date certain, being 6/26/19.*

X. NEW BUSINESS

NO ITEMS

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public.

Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the

City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall,

455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall

455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at 408-586-3279.
